

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

REPUBLIC SERVICES OF
PENNSYLVANIA, LLC,

Plaintiff,

v.

CARIBBEAN OPERATORS, LLC, *et al.*,

Defendants.

CIVIL ACTION
NO. 17-03908

ORDER

AND NOW, this 14th day of March, 2018, upon consideration of Defendant UFCC's motion to dismiss (ECF No. 14), Plaintiff's response (ECF No. 20), Defendant Johnston's motion to dismiss (ECF No. 25), Plaintiff's response (ECF No. 29) and following oral argument (ECF No. 37), it is hereby **ORDERED** that:

1. UFCC's motion to dismiss (ECF No. 14) is **GRANTED**. Count one is dismissed without prejudice.
2. Johnston's motion to dismiss (ECF No. 25) is **GRANTED**. Counts six, seven, eight and nine are dismissed without prejudice. Republic may file an amended complaint with respect to count eight within 14 days of the case's removal from civil suspense.
3. Count ten against Evanston is **DISMISSED** without prejudice.
4. The remaining counts (counts 2–5) are **STAYED**. The Clerk of Court shall place

this matter on the Civil Suspense Docket.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.